

Article - Environment

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§9–415.

(a) The Department shall give notice and hold hearings under this subtitle in accordance with the Administrative Procedure Act.

(b) (1) Within 30 days after service of the order under this subtitle the person served may request in writing a hearing before the Department.

(2) (i) If a person served with an order under this subsection makes a timely request for a hearing, the Department shall give the person written notice of the date, time, and place of the hearing, at least 10 days before the hearing date.

(ii) The order becomes final when the Department renders its decision following the hearing.

(c) The Department may make a verbatim record of the proceedings of any hearing held under this subtitle.

(d) (1) In connection with any hearing under this subtitle, the Department may:

(i) Subpoena any person or evidence; and

(ii) Order a witness to give evidence.

(2) A subpoenaed witness shall receive the same fees and mileage reimbursement as if the hearing were part of a civil action.

(3) If a person fails to comply with a subpoena or order issued under this subsection, on petition of the Department, a circuit court, by order may:

(i) Compel obedience to the Department's order or subpoena;
or

(ii) Compel testimony or the production of evidence.

(4) The court may punish as contempt any failure to obey its order issued under this section.

(5) Any person aggrieved by a final decision of the Department in connection with an order or a permit issued under this subtitle may take judicial appeal in accordance with the Administrative Procedure Act.

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